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EXAMINER	
CUNNINGHAM, GREGORY F	
ART UNIT	**PAPER NUMBER**
2676	

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/056,562	SAUND ET AL.	
	Examiner	Art Unit	
	Greg Cunningham	2676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 November 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 January 2002* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *11/12/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications of application filed 11/08/2004.

2. The disposition of the claims is as follows: claims 1-23 are pending in the application. Claims 1, 11 and 14 are independent claims.

Drawings

3. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because since migrating to IFW, the scanned drawings are of such poor quality to follow the reasoning laid out in applicant's remarks. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1, 2, 7, 8, 11 and 12 are rejected under 35 U.S.C. 102(a) as being disclosed by Seni et al., (PGPUB-DOCUMENT-NUMBER: 20030007018), hereafter Seni.

A. Claim 1, "An image analysis and conversion method comprising: receiving a digital ink image

[Often it is difficult to differentiate between these two modes of stylus operation, viz. that of a writing implement for text entry (inking mode) and its control function such as for clicking on application icons and the like (control mode). – para. 0007;

The present invention is a method of interfacing with and a handwriting user interface (HUI) for small (pocket-shirt sized) portable devices with a touch-enabled input/output (I/O) screen, such as are commonly known as personal digital assistants (PDAs). The portable devices may be capable of wireless message transmission (such as for web browsing and/or e-mail). The user interface of the present invention is typically in software and loaded into PDA storage. A state of the art handwriting recognition engine also is included in software. The handwriting user interface of the present invention enhances the usability, flexibility and power of the handheld device in which it is installed. – para. 0015;

However, small digital ink point at the end of a word is much easier to identify and classify as a punctuation mark, e.g. a period, comma, etc. – para. 0024;

These errors and conflicts also result from the inherent ambiguity of inputting with a single pointing device, i.e., a stylus, wherein the stylus is used both as an inking pen for writing and, as a mouse-type pointing device for function selection. For example, the device must distinguish between an inking stroke and scrolling the screen by dragging the stylus. By designating an input area for writing, such conflicts are resolved simply: the stylus functions as an inking pen inside the writing area and as a non-inking pointing device/mouse outside of the input area. - para. 0026]; and

converting the digital ink image into structured object representations of the digital ink image, each of the structured object representations correlating to an automatically defined perceptually salient structured of the digital ink image," [An entire message may be quickly handwritten, converted, stored and then, transmitted, for example. - para. 0015],

"each perceptually salient structure including at least one of text or line art, wherein each of the structured object representations is editable by a structured text/graphics editor"

[FIG. 1 shows a preferred embodiment pocket sized handheld device 100 with a housing 101 graphical handwriting user interface 102 according to preferred embodiment of the present invention. – para. 0016;

Action icons 106, 108, 110, 112, 114 are displayed to provide virtual buttons for editing any previously entered text. Preferably, the icons are displayed together at any side of the input area (e.g., left, right, top or bottom). Editing operations may include, but are not limited to: insert a space 108, backspace 112, delete 114, capitalize recognition result 110, and undo insertion of last recognition result 106. Further, as each word is entered and recognized, a stylus may be used to select one or more characters of the word in a text field of the active application. The preferred recognition engine is also capable of recognizing individual stand-alone characters. At any time, the user can select one (or more) character(s) from a previously entered word and write a new character(s) in the input area with the result replacing the selected text. – para. 0022;

The previously input text is displayed at the top of the screen. Each word is entered and the last recognition result remains displayed for editing in the editing area. As noted above, a

single word can be selected or, individual letters within the word may be selected and corrected using the QWERTY keyboard 132. – para. 0023;

Typical recognition options may include an option to propose upper-case at the beginning of a word, an option to suggest end of word punctuation, the number of recognition results displayed in the pop-up list, the location of editing buttons (i.e., left or right hand side of the input area), and user dictionary maintenance, i.e., viewing, adding, and/or deleting entries. The option to propose upper-case may be such that, if set, the recognition engine attempts to recognize the input with and without a leading upper-case letter. – para. 0024]" is disclosed [as detailed].

B. Claim 2, "The method according to claim 1 wherein the converting step includes, altering the digital ink image into multiple alternative interpretations" [para. 0020, 0021, and 0024], is disclosed supra for claim 1 and [as detailed]. Wherein recognition options correspond to alternative interpretations.

C. Claim 7, "The method according to claim 1 wherein the step of converting the digital ink image to the structured object representations includes generating multiple structured object representations of the digital ink image [para. 0016 at "a secondary list of potential recognition candidates may be displayed in a box 120"], the multiple structured object representations representing at least a first image representation having formal structured object representations [para. 0016 at "As each word is recognized, it is shown inserted into the text at the top of the interface display 102], and a second image representation containing informal structured object representations [para. 0016 at "A lower portion of the display is designated as a handwriting input area 104."] is disclosed supra for claim 1 and [as detailed].

D. Claim 8, "The method according to claim 1 wherein the editing by the structured text/graphics editor permits movement of structured object representations by at least one of, individual objects, a sub-group of all the structured object representations [para. 0022 at "Editing operations may include, but are not limited to: insert a space 108, backspace 112, delete 114, capitalize recognition result 110, and undo insertion of last recognition result 106."], or as an overall group of the structured object representations" is disclosed supra for claim 1 and [as detailed]. Wherein delete corresponds to editing a sub-group of all the structured object representations. Said sub-group of all the structured object representations corresponds a letter, a character of a word, multi-digit number, group of letters, or even an entire word.

E. Per independent claim 11, this is directed to a system for performing the method of independent claim 1, and therefore is rejected to independent claim 1.

F. Per dependent claim 12, this is directed to a system for performing the method of claim 1 and in part of dependent claim 7, and therefore is rejected to claim 1 and dependent claim 7.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 3, 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seni as applied to claim 1 above, and further in view of Official Notice.

A. Claim 3, "The method according to claim 2 wherein the altering of the digital ink image into multiple alternative interpretations includes, altering the digital ink image into informal structured object representations that are editable by the structured text/graphics editor; and altering the digital ink image into formal structured object representations that are editable by the structured text/graphics editor", is disclosed supra for claim 2. wherein formal is depicted under 116, "happy" of Fig. 1. Seni appears to lack disclosure of "wherein the altering of the digital ink image into multiple alternative interpretations includes, altering the digital ink image into informal structured object representations that are editable by the structured text/graphics editor". However, Official notice is taken that the art is replete with altering the digital ink image into informal structured object representations that are editable by the structured text/graphics editor for example AutoSketch from makers of AutoCAD, or the like wherein editing of a freehand sketch is accomplished by identifying an enclosed area and modifying said enclosed area.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply digital ink recognition disclosed by Seni in combination with identifying an enclosed area and modifying said enclosed area disclosed by Official Notice (AutoSketch), and motivated to combine the teachings because it would be obvious since AutoSketch combines the two via freehand sketch which corresponds to the digital ink taught by Seni and AutoSketch's identifying an enclosed area and modifying said enclosed area corresponds to editable by the structured text/graphics editor. (Examiner's note: Editable by the structured text/graphics editor may be as simple as deletion via backspace, delete key, or highlight and delete.)

B. Claim 4, "The method according to claim 1 wherein the step of converting the digital ink image into structured object representations of the digital ink image includes configuring the structured object representations to represent an electronic slide of the structured text/graphics editor" is disclosed supra for claim 1. Although Seni does not appear to disclose, "includes configuring the structured object representations to represent an electronic slide", Official notice is taken that the art is replete with capabilities to configure structured object representations to represent an electronic slides for example Pocket PC Powerpoint by Microsoft Corporation. Wherein the pocket pc (PDA) has the features of a PDA and editing and presentation of MS Powerpoint or even in a 102 alternate, MS Powerpoint's drawing toolbar includes lines category where you can use scribble and/or freeform to draw lines, curves and shapes wherein the resulting shape closely matches what you draw on the screen which corresponds to digital ink. Use Freeform tool when you want a more refined shape – one without jagged lines or drastic changes indirection.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply digital ink recognition disclosed by Seni in combination with electronic slide presentation disclosed by Official Notice (Pocket PC Powerpoint and/or MS Powerpoint), and motivated to combine the teachings because using Pocket PC Powerpoint on a PDA combines both the digital ink user input and the presentation of slides.

C. Claim 8, "The method according to claim 1 wherein the editing by the structured text/graphics editor permits movement of structured object representations by at least one of, individual objects, a sub-group of all the structured object representations, or as an overall group of the structured object representations" is disclosed supra for claim 1. However to solidify Seni

more firmly Official notice is taken that the art is replete with highlighting (marking) any subgroup of characters, words, sentences, paragraphs or objects and editing them via deletion, movement and/or insertion, change color, grayscale, or orientation as perform in Pocket PC Powerpoint.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply digital ink recognition disclosed by Seni in combination with subgroup editing as disclosed by Official Notice, and motivated to combine the teachings because highlighting (marking) Seni's digital ink of any subgroup of characters, words, sentences, paragraphs or objects and editing them via deletion, movement and/or insertion, change color, grayscale, or orientation as perform in Pocket PC Powerpoint acts to combine both of these elements.

8. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seni as applied to claim 1 above, and further in view of Wilcox et al., (US-PAT-NO: 5,889,523), hereafter Wilcox.

A. Claim 5, "The method according to claim 1, wherein the converting step includes forming of an Alternative graph" is disclosed by Seni supra for claim 1. Although Seni does not appear to disclose "wherein the converting step includes forming of an Alternative graph", Wilcox does in abstract and col. 2, lns. 24-46. Wherein cluster tree corresponds to alternative graph.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply digital ink recognition disclosed by Seni in combination with cluster tree (alternative graph) disclosed by Wilcox, and motivated to combine the teachings

because it would it is an important interface issue in graphical editing systems as revealed by Wilcox in col. 1, lines 12-16.

B. Claim 9, "The method according to claim 1 wherein the digital ink image is converted into the structured objects representations of the digital ink image through the use of an Alternative Graph" is disclosed by Seni supra for claim 1 and Wilcox for claim 5.

9. Claims 14, 15, 17-20, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seni as applied to claim 1 above, and further in view of Golovchinsky et al., (US-PAT-NO: 6,389,435), hereafter Golovchinsky.

A. Claim 14, "On a screen display of an electronic device operating a structured text/graphics editor, an image representation comprising: structured object representations of a digital ink image, each structured object representations correlating to an automatically defined perceptually salient areas of the digital ink image, wherein each of the structured object representations is editable by the structured text/graphics editor to allow a user to generate alternative interpretations of the digital ink image" is disclosed by Seni supra for claims 1 and 11. While Seni does disclose "representations correlating to perceptually salient areas of the digital ink image" as acknowledged by the applicant for independent claim 1, Golovchinsky further solidifies this at [An embodiment of the system and method of the invention provides a perceptually-motivated model of freeform digital ink marks that applies higher weight to more saliently marked terms. For example, a user may choose to use digital ink that has a high salience such as a bright color and the system may apply a higher weight to the terms that are marked with this bright color digital ink than those terms that are marked with a less salient

digital ink for the query. The search results will reflect the greater weight given to the terms marked with the high salience freeform digital ink. - col. 4, lns. 58-67].

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply digital ink recognition disclosed by Seni in combination with salient digital ink disclosed by Golovchinsky, and motivated to combine the teachings because combinations of shapes and colors can be used for the freeform digital ink marks to create a large number of identifiable terms as revealed by Golovchinsky in col. 2, lines 23-25.

B. Claim 15, "The image representation according to claim 14 wherein the structured object representations are informal structured object representations, and wherein the informal structured object representations are editable to formal structured object representations" is disclosed supra for claims 3 and 14 and furthermore by Seni in [para. 0022], particularly at "At any time, the user can select one (or more) character(s) from a previously entered word and write a new character(s) in the input area with the result replacing the selected text".

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply digital ink recognition disclosed by Seni in combination with salient digital ink disclosed by Golovchinsky, and motivated to combine the teachings because combinations of shapes and colors can be used for the freeform digital ink marks to create a large number of identifiable terms as revealed by Golovchinsky in col. 2, lines 23-25.

C. Claim 17, "The image representation according to claim 14 wherein a first structured object representation is spatially contained within a second structured object representation" is disclosed by Seni and Golovchinsky supra for claim 14. Wherein a letter corresponds to a first

structured object and a word corresponds to a second structured object wherein the two are spatially connected.

D. Claim 18, "The image representation according to claim 14 wherein a new structured object representation is added to existing structured object representations" is disclosed by Seni and Golovchinsky supra for claim 14. See Seni, Fig. 1, wherein each new word is added to existing structured text at top of area 102.

E. Claim 19, "The image representation according to claim 14 wherein the structured object representations define a text block structure" is disclosed by Seni and Golovchinsky supra for claim 14. See Seni, Fig. 1.

F. Claim 20, "The image representation according to claim 19 wherein the text block structure includes a display of text parameters including at least one of text layout, text font, bullets, underlines and dummy characters" is disclosed by Seni and Golovchinsky supra for claim 18. See Seni, Fig. 1, depicted text layout.

G. Claim 22, "The image representation according to claim 14 wherein distinct alternative interpretations may be displayed at the same time" is disclosed by Seni and Golovchinsky supra for claim 14. See Seni, Fig. 1, pop-up window list 120.

H. Claim 23, "The image representation according to claim 22 wherein display of the alternative interpretations is accomplished by the use of at least one of underlays, bubble or balloon images, coloring, shading transparency/translucency, defocusing, and pop-up windows" is disclosed by Seni and Golovchinsky supra for claim 14. See Seni, Fig. 1, pop-up window list 120.

10. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seni as applied to claim 1 above, further in view of Golovchinsky et al., (US-PAT-NO: 6,389,435), hereafter Golovchinsky, and further in view of Official Notice.

A. Claim 21, "The image representation according to claim 20 wherein the dummy characters are replaceable with target characters" is disclosed by Seni and Golovchinsky supra for claim 20. However they do not appear to disclose, "wherein the dummy characters are replaceable with target characters", but Official notice is taken that the art is replete wherein the dummy characters are replaceable with target characters in the form of temporary characters, templates, boiler plate documents and slides, and place holders.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply digital ink recognition disclosed by Seni in combination with salient digital ink disclosed by Golovchinsky coupled with dummy characters disclosed by Official Notice (target characters in the form of temporary characters, templates, boiler plate documents and slides, and place holders), and motivated to combine the teachings because combinations of shapes and colors can be used for the freeform digital ink marks to create a large number of identifiable terms as revealed by Golovchinsky in col. 2, lines 23-25.

11. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seni as applied to claim 1 above, further in view of Golovchinsky et al., (US-PAT-NO: 6,389,435), hereafter Golovchinsky and further in view of Mahoney et al., (US-PAT-NO: 6,470,095), hereafter Mahoney.

A. Claim 16, "The image representation according to claim 15 wherein the alternative interpretations permit a mixing of formal structured object representations and informal

structured object representations in a single image representation displayed on the computer screen" is disclosed by Seni and Golovchinsky supra for claim 15. Although Seni and Golovchinsky do not appear to disclose, "wherein the alternative interpretations permit a mixing of formal structured object representations and informal structured object representations in a single image representation displayed on the computer screen", Mahoney does in Fig. 3 at col. 2, lns. 45-49.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply digital ink recognition disclosed by Seni in combination with salient digital ink disclosed by Golovchinsky coupled with handwritten and typeset text displayed in a single image disclosed by Mahoney, and motivated to combine the teachings because combinations of shapes and colors can be used for the freeform digital ink marks to create a large number of identifiable terms as revealed by Golovchinsky in col. 2, lines 23-25 and because the amount of a human user's time required to enter and edit such user-created borders is significant as revealed by Mahoney in col. 1, lns. 22-23.

Allowable Subject Matter

12. Claims 6, 10 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

13. Applicant asserts that the specification defines digital ink images as symbols (i.e. structured object representations), however it actually declares that "a digital ink image is

converted to structured object representations of the digital ink image" – para. [0010]. See also para. [0031] – "System 10 illustrates various channels by which bitmapped (i.e., rasterized) and/or images formed by digital ink techniques (i.e., a vector representation) images are provided to a converter of the present application." Even in para. [0033] the applicant discloses "This device can be any of a number of systems, including but not limited to a computer having a structured text/graphics editor, a computerized CAD system, a server on the Internet which delivers web pages, or any other system which an electronic tablet, personal digital assistant+(PDA), provides bitmapped and/or digital ink images 30 to converter system 22" not unlike Seni's Handwriting user interface for personal digital assistants and the like.

Furthermore, digital ink images are not defined as symbols (i.e. structured object representations), but rather the full context indicates "An embodiment of the present invention is directed, therefore, to receiving bitmapped and/or digital ink images, generated by a variety of procedures, and converting the images into structured object representations of the images. By this process the bitmapped and/or digital ink images are defined in accordance with symbols (i.e., the structured object representations)." - para. [0035]. (Emphasis added). Consequently the "symbols (i.e. structured object representations)" are the result of using procedures, and converting the images (bitmapped and/or digital ink) into structured object representations of the images (bitmapped and/or digital ink). More specifically "bitmapped and/or digital ink images" are bitmapped (i.e., rasterized) and/or images formed by digital ink techniques (i.e., a vector representation) – para. [0031].

Although Seni requires entering handwriting in a special area on the screen and deals with handwritten recognition for converting handwritten input into correlating text is of no

sufficient consequence since the claims are silent as to how the digital inl image is received or how the converting is performed, other than a correlation between the input (digital ink image) and output (automatically defined perceptually salient structure of the digital ink image). Appreciation is given of the applicant's acknowledgement that although, "at best Seni requires the manual entry of one perceptually salient structure (word) at a time in the handwriting area 104" – (page 9, end of 1st para. of applicant's remarks). Wherefore Seni's digital ink image correlates to an automatically defined perceptually salient structure (word).

Although Seni recommends inputting one word at a time [para. 0026] as advantageous; Seni also discloses as background information that a "next sentence or string of words can be entered" – [center of para. 0006]. Furthermore the independent claims do not distinguish from Seni as to what are and are not "structured object representations of the images" or rather the correlated perceptually salient structure of the digital ink image. For that matter even individual alphanumeric characters correlate to "structured object representations of the images" or rather the correlated perceptually salient structure of the digital ink image. This assertion arises from the specification's disclosure of "Perceptually salient areas are those areas of an image that ordinary viewers of graphic imagery, text, or mixtures of these, would readily identify in certain groupings and collections of image primitives (i.e., pixels) as being sensible, visibly apparent or meaningful units on which to perform image editing operations." – [para. 0037]. Wherein alphanumeric characters correspond to "collections of image primitives (i.e., pixels) as being sensible, visibly apparent or meaningful units on which to perform image editing operations".

The final action's focus on "text" rather than "line art" of the independent claims is manifested by the conjunctive term "or" in the independent claims. Since the independent claims

do not require both (and), but rather "text or line art"; "text" was chosen to be exemplified (i.e. Seni). Although the specification is alleged to indicate "text and line art", this is not claimed. The claims recite "text or line art".

Independent claims are silent of any further limitation of edit ability other than "wherein each of the structured object representations is editable by a structured text/graphics editor". Even the mere backspace or deletion of alphanumeric characters or words in Seni satisfy this limitation.

The office action does not assert that Seni discloses the specification, or the claims and the specification together, but rather discloses claims 1-3, 7, 8, 11 and 12. Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. > E-Pass Techs., Inc. v. 3Com Corp., 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the claims unnecessarily).< In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551

(CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) ("During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow.... The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of language explored, and clarification imposed.... An essential purpose of patent examination is to fashion claims that

are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.").

Applicant's arguments with respect to claims 3, 4 and 8 have been considered but are moot in view of the new ground(s) and or updated information for rejection.

Independent claim 11 is of similar elements as claim 1 and the same reasoning applies as applied to claim 1.

Rejection to claim 14 has been modified to incorporate applicant's acknowledgement that Seni does indeed disclose, "automatically defined perceptually salient areas of the digital ink image" and can actually stand on its own without Golovchinsky.

Rejection of claim 15 has been modified to includes the same disclosed references to claim 3.

With regard to applicant's remark regarding claim 17; "a letter within a word as described by Seni is only a positional grouping in a one-dimensional sense, unlike the two-dimensional, spatially contained sense recited in the subject claim" can be seen differently wherein the letters are collections of image primitives (i.e., pixels) constituting two-dimensions. This assertion arises from the specification's disclosure of "Perceptually salient areas are those areas of an image that ordinary viewers of graphic imagery, text, or mixtures of these, would readily identify in certain groupings and collections of image primitives (i.e., pixels) as being sensible, visibly apparent or meaningful units on which to perform image editing operations." – [para. 0037]. Wherein alphanumeric characters correspond to "collections of image primitives (i.e., pixels) as being sensible, visibly apparent or meaningful units on which to perform image editing operations".

With regard to claim 19, the text block structure is derived from the spaces surrounding a word, although Seni only shows one word in Fig. 1, Seni also discloses "Once the text is corrected, it may be embedded in the e-mail message, for instance, and, the next sentence or string of words can be entered." Wherein the next sentence or string of words are similarly structured as text blocks via spaces.

Responses

14. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Inquiries

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Cunningham whose telephone number is (703) 308-6109.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached on (703) 308-6829.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

G. F. Cunningham, Examiner.

gfc

February 2, 2005

Matthew C. Bella

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